

SERVICE DATE – AUGUST 25, 2017

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

Docket No. AB 290 (Sub-No. 392X)
Norfolk Southern Railway Company – Abandonment Exemption –
in Hartford City, Ind.

Docket No. AB 511 (Sub-No. 7X)
Central Railroad Company of Indianapolis – Discontinuance of Lease and Operation
Authority –
in Hartford City, Ind.

BACKGROUND

In this proceeding, the Norfolk Southern Railway Company (NSR) and the Central Railroad Company of Indianapolis (CERA) (collectively, Applicants) jointly filed a notice of exemption under 49 C.F.R. § 1152 for NSR to abandon and for CERA to discontinue service over a line of railroad in the City of Hartford City (City), Indiana extending approximately 0.2 mile from milepost RK 138.6 to milepost RK 138.8 (the line). Maps depicting the line in relationship to the area served are appended to this Environmental Assessment (EA). If the notice becomes effective, NSR will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

Applicants submitted an Environmental Report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. Applicants served the Environmental Report on a number of appropriate federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 C.F.R. § 1105.7(b)].¹ The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

The Marion and Mississinewa Valley Railroad was incorporated to build a rail line from Union City, Indiana to Marion, Indiana in 1852. The unfinished line was purchased by the newly incorporated Union and Logansport Railroad in 1863. The Union and Logansport Railroad merged with two other railroads to form the Columbus and Indiana Central Railway in 1867.

¹ The Environmental and Historic Reports are available for viewing on the Board's website at www.stb.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB 290 (Sub-No. 392X).

The line between Union City and Marion was opened in October 1867. Following several sales and mergers, the subject line was included in the formation of the Consolidated Rail Corporation in 1976. Norfolk Southern Corporation, parent to NSR, assumed control of approximately fifty-eight percent of the Conrail properties including the subject line in 1999.

The line does not contain federally-granted right-of-way. NSR has fee simple interest title to the right-of-way underlying the line proposed for abandonment. The right-of-way width ranges from 50 feet to 100 feet along the main track centerline.

There are no structures on the line. Applicants are unaware of archeological resources or other railroad related historic properties in the project area. The subsurface of the right-of-way was initially disturbed during construction of the line by grading and filling. Salvage of material from the right-of-way would not result in activities below the level of initial disturbance.

Diversion of Traffic

Applicants have not provided local or overhead common carrier service or received any requests for common carrier service on the line during the past two years. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

Salvage Activities

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

Applicants state that, following abandonment, the line's rail and related track material would be salvaged. Salvage would consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed would remain as is, and existing drainage systems would remain intact. Once the rail and track are removed, the contractor would smooth the roadbed to a level surface. No ballast would be removed and no soil disturbance would occur. All salvaged steel components would either be reused or sold as scrap. Crossties would be reused in other railroad operations or disposed of in accordance with applicable federal and state laws and regulations.

Applicants anticipate that impacts related to the proposed abandonment on regional or local transportation systems and patterns would be negligible. The proposed abandonment is consistent with the City's and Blackford County's land use plans. The City's Office of the Mayor, Common Council, Department of Public Works, and the Blackford County Board of

Commissioners support the proposed abandonment. Abandonment of the line would help facilitate future City plans by allowing the connection of an existing roadway (Wabash Avenue) and faster emergency response times for fire, police and other emergency vehicles.

Applicants have no knowledge of hazardous waste sites or sites where there have been known hazardous material spills located in or adjacent to the right-of-way.

The line is in an urban area. The U.S. Department of Agriculture, Natural Resources Conservation Service in Indianapolis has indicated that the proposed abandonment would not cause a conversion of prime farmland.

The National Geodetic Survey has advised OEA that no geodetic station markers have been identified that may be affected by the proposed abandonment.

The line is not located within a designated Coastal Zone Management Area. No wetlands or 100-year flood plains would be affected by the proposed abandonment. NSR does not intend to remove or alter the contour of the roadbed underlying the line. NSR does not plan to undertake in-stream work, dredge, or use any fill materials during salvage activities. Accordingly, salvage activities would not result in water quality impacts. Applicants indicate that activities related to the proposed abandonment would be consistent with applicable water quality standards. Applicants do not believe that any permits under Sections 402 or 404 of the Clean Water Act would be required. The Indiana Department of Natural Resources (Indiana DNR), Division of Water has determined that formal approval by Indiana DNR under the regulatory programs administered by the Division of Water would not be required for this project.

No wildlife sanctuaries or refuges, National or State parks or forests would be adversely affected by the proposed abandonment.

The U.S. Department of Interior, Fish and Wildlife Service (USFWS) – Bloomington Ecological Services Field Office has indicated that one endangered species, the Indiana bat (*Myotis sodalis*), appears on the Endangered Species Act Species List and could be found in the project area (Consultation Code: 03E12000-2017-SLI-0469). USFWS indicates that there are no critical habitats for the Indiana bat within the project area. The Indiana DNR, Division of Fish and Wildlife has reviewed the Natural Heritage Program's data and determined that no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity. NSR would use the existing right-of-way to conduct salvage activities and construction of new access roads is not anticipated. No trees suitable for Indiana bat roosting would be removed by NSR during salvage activities. OEA therefore concludes that salvage activities related to the proposed abandonment would not adversely affect endangered and threatened species or areas designated as a critical habitat.

OEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, OEA does not believe that salvage activities would cause significant environmental impacts.

HISTORIC REVIEW

Applicants submitted an historic report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the Indiana Department of Natural Resources (SHPO) pursuant to 49 C.F.R. § 1105.8(c). The Indiana Landmarks, Eastern Regional Office has determined that there are no historic structures within the right-of-way (the Area of Potential Effect, or APE) affected by the proposed abandonment. The SHPO has not identified any historic buildings, structures, districts, or objects listed in or eligible for inclusion in the National Register of Historic Places (National Register) within the probable area of potential effects.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties within the APE of the proposed abandonment listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.gov>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Native American Consultation Database to identify federally-recognized tribes that may have ancestral connections to the project area.² The database indicated that one federally-recognized tribe may have knowledge regarding properties of traditional religious and cultural significance within the APE of the proposed abandonment. That tribe is the Miami Tribe of Oklahoma. OEA is sending a copy of this EA to the Miami Tribe of Oklahoma for review and comment.

CONDITIONS

OEA recommends that no environmental conditions be imposed on any decision granting abandonment authority.

² Native American Consultation Database, <http://home.nps.gov/nacd/> (last visited August 17, 2017).

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, abandonment of the line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite 4-part showing for imposition of a public use condition (49 C.F.R. § 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 C.F.R. § 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this Environmental Assessment, send original and 2 copies to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, www.stb.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 290 (Sub-No. 392X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions

regarding this Environmental Assessment, please contact Kenneth Blodgett by phone at (202) 245-0305, fax at (202) 245-0454, or e-mail at Kenneth.Blodgett@stb.gov.

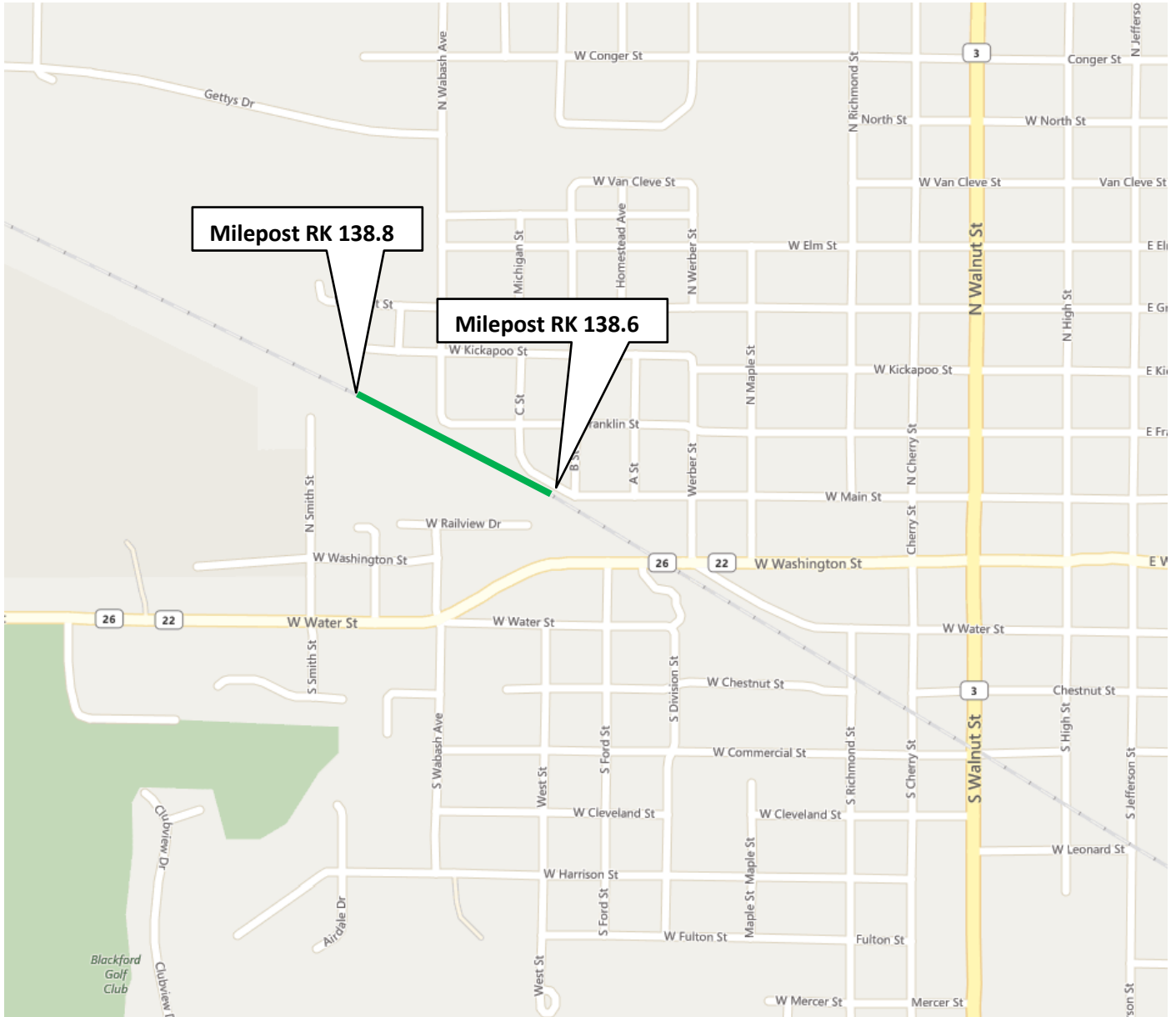
Date made available to the public: August 25, 2017.

Comment due date: September 11, 2017.

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment

Norfolk Southern Railway Company
Proposed Abandonment
Milepost RK 138.6 – RK 138.8
Hartford City, IN
Docket No. AB 290 (Sub No. 392X)



**Docket No. AB-290 (Sub-No. 392X)**

Norfolk Southern Railway Company
Abandonment Exemption

Docket No. AB-511 (Sub-No. 7X)

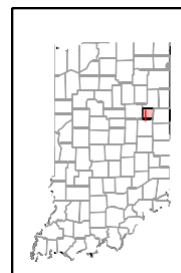
Central Railroad Company of Indianapolis
Discontinuance of Lease and Operation Authority
Blackford County, Indiana
Hartford City

Legend

— the Line

Right-of-way (approximate)

Note: Maps produced by the Surface Transportation Board's Office of Environmental Analysis are based on information provided by the railroad applicant and are for reference purposes only.



Location in State



Location in County

